SELECTED INFORMATION ABOUT COUNTY JAILS AND ADULT DETENTION FACILITIES IN IOWA

Compiled Pursuant to Iowa Code Section 356.36A

The Division of Criminal and Juvenile Justice Planning lowa Department of Human Rights

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BACKGROUND

During the 2002 session of the Iowa General Assembly, Senate File 2278 was enacted, establishing a new Section 356.36A within the Iowa Code. Subsequently, House File 2623 was enacted, which served to make a minor amendment to Senate File 2278. The Governor subsequently signed the amended legislation into law.

The final version of the new Section 356.36A required that the lowa Department of Human Rights, Division of Criminal and Juvenile Justice Planning and Statistical Analysis Center (CJJP) prepare a report for the Legislature "analyzing the confinement and detention needs of jails and facilities established pursuant to chapters 356 and 356A." The report was to include, but not necessarily be limited to:

- > An inventory of prisoner space
- Daily prisoner counts
- Options for the detention of prisoners with mental illness or substance abuse service needs
- ➤ The compliance of the facilities with section 356.36 of the Iowa Code (jail standards)
- An inventory of recent jail or facility construction projects in which voters have approved the issuance of general obligation bonds, essential county purpose bonds, revenue bonds or bonds issued pursuant to chapter 422B of the Iowa Code (local option sales or vehicle tax).

The legislation further indicated that the report was to be revised periodically as directed by the CJJP Administrator, and that the first submission of the report "shall include recommendations on the offender data needed to estimate jail space needs in the next two, three and five years, on a county, geographic region, and statewide basis, which may be based on information submitted pursuant to section 356.49" (Monthly Jail Report). Finally, the legislation indicated that CJJP was to prepare the report in consultation with:

- lowa Department of Corrections
- Iowa County Attorneys Association
- Iowa State Sheriffs Association
- Iowa Association of Chiefs of Police and Peace Officers
- ➤ A Statewide Organization Representing Rural Property Taxpayers
- lowa League of Cities
- Iowa Board of Supervisors Association

In the initial stages of the research, CJJP actively consulted with the Iowa Department of Correction's Chief Jail Inspector, the Deputy Director of the Iowa State Association of Counties and the Jail Committee of the Iowa State Sheriffs Association on various issues related to the project. Additionally, CJJP conducted a literature review of relevant documents. With the assistance of the Chief Jail Inspector, CJJP compiled the data that appear in the tables within this report. After a draft of the report was completed, CJJP forwarded copies of the draft report to the president or other titular head of the organizations listed above, with copies being sent to the Iowa Farm Bureau Federation and Iowans for Tax Relief as organizations representing rural property taxpayers. These

organizations were asked to review the draft and to forward any comments and/or suggestions for how the research could be improved from their perspective to CJJP. These comments and suggestions were received, reviewed, and incorporated into the report when appropriate.

It should be noted that in the new Section 356.36A, there is no stated deadline for this report, and that the report should be revised periodically as directed by the CJJP Administrator. After completing the initial research, it was believed that the information and data would be of value to the lowa Legislature, thus it was released early in the legislative session for use by interested members of the legislature and other policy makers. It is currently anticipated that the report will be revised within the foreseeable future, and expanded to include other information and data that are currently not available.

METHODOLOGY

LITERATURE REVIEW

One of the initial tasks in the preparation of this report was a review of the literature to identify any previous research of similar parameters done within the State of Iowa. It was found that in December, 1996, the Iowa Attorney General's Task Force on Local Corrections Infrastructure, Crime Prevention and Juvenile Justice issued a report that, in part, detailed much of the data requested by the Iowa General Assembly in the newly enacted Section 356.36A of the Iowa Code, including design capacity (inventory of prisoner space), residency (daily prisoner counts) and a listing of substantial improvements made to each responding jail. The Task Force report also contained data concerning what were then termed City Holding Cell Facilities, or what today are termed Temporary Holding Facilities. Given the apparently extensive amount of work that went into the preparation of, and the plethora of data contained within, the Task Force report, it was deemed appropriate to consider that report as a baseline assessment for the research and report contemplated in the new Section 356.36A. It also appeared appropriate to consider the December, 1996 date as the baseline from which new facility construction projects would be reported on in the Section 356.36A report.

Reviews of Chapters 356 and 356A of the Iowa Code were also undertaken. These reviews defined the various types of "facilities" that the report was required to analyze, and disclosed the existence of facility data that were currently being reported and complied, and by whom. Similarly, reviews were made of 201 IAC, Chapters 50 and 51, of the Iowa Administrative Code, which establish, define and set certain standards for jails and temporary holding facilities respectively.

Given the requirement that CJJP identify and recommend those offender data elements necessary to allow the estimating of jail space needs in the future, a review of the literature in the field of jail population forecasting was also undertaken. This review disclosed a December, 2001 publication by the US Department of Justice, National Institute of Corrections entitled "Jail Crowding – Understanding Jail Population Dynamics". This document, authored by Mark A. Cunniff of the National Association of Criminal Justice Planners, and CJJP's extensive experience in prison population forecasting, provided the basis for the selection of those variables deemed necessary to provide accurate jail space estimation data should that task be undertaken by some entity in the future.

TYPES OF FACILITIES

Chapters 356 and 356A of the Iowa Code establish three different types of facilities, those being jails, municipal holding facilities and county halfway houses. Pursuant to Section 356.43 of the Iowa Code, the Iowa Department of Corrections (DOC) inspects these facilities on a regular basis. Generally, jails are those facilities which are certified to hold prisoners for a period of time up to one calendar year. Temporary holding facilities are those facilities certified to hold prisoners for a period of time not to exceed 24 hours. There are currently no county detention facilities in the state.

JAILS

A jail is defined by 201 IAC, Chapter 50 of the Iowa Administrative Code as "any place administered by the county sheriff and designed to hold prisoners for as long as lawfully required but not to exceed one year pursuant to Iowa Code chapters 356 and 356A". Data provided by the DOC indicates that there are 95 jails currently in existence, each being operated in a different county by the County Sheriff. Calhoun, Franklin and Hamilton counties do not currently have jails, however Hamilton County currently has a new jail under construction. Washington County does not have a jail, but rather operates a temporary holding facility, and as such, can only hold prisoners for a period of time not to exceed 24 hours.

The jails are populated by two distinctly different classes of prisoners, pre-trial and sentenced. Generally, pre-trial prisoners are in jail only a short period of time as they are usually released from custody pending arraignment or hearing. Sentenced prisoners generally are in the jails a longer period of time in that they are serving the jail sentence imposed by the court. Pre-trial prisoners being held until the court adjudicates their case(s) also are normally in jail for a protracted period of time. Within both classes of prisoners are subpopulations of jurisdictional and non-jurisdictional prisoners. The jurisdictional prisoners would be those individuals being arrested and tried within the county where the jail is located. The non-jurisdictional prisoners would be those being held for other law enforcement agencies on either a short or long term basis. Examples would be federal prisoners, prisoners from other counties and prisoners awaiting transfer to another county either within or outside the state who are awaiting trial, awaiting a hearing or serving their sentence.

Chapter 356 of the Iowa Code and 201 IAC, Chapter 50 of the Iowa Administrative Code govern the operations of the jails in the state. Chapter 356 established the procedures for promulgating standards under which the jails must operate, provides for the inspection of the jails by the DOC to insure compliance with the established jail standards and establishes certain legal requirements under which the jails must operate, such as the separation of detainees under the age of 18 and the separation of men and women prisoners. It also established certain requirements for the County Sheriff to report certain jail population data to the DOC. The Iowa Administrative Code establishes more specific standards under which the jails must operate, such as the requirements for the physical plant and the personnel operating the jail. All jails are under the local control of the County Sheriff, and the DOC is responsible for conducting inspections, reporting on the conditions found by the inspections and collecting certain jail population data.

"MUNICIPAL" OR TEMPORARY HOLDING FACILITIES

In the past, many cities operated what were commonly referred to as city jails. The local police department normally operated the facility, and prisoners were held for varying lengths of time. The advent of the jail standards, which can be found in 201 IAC, Chapter 50 of the Iowa Administrative Code, imposed substantial requirements for facilities that held prisoners for periods of time exceeding 24 hours, both in terms of the

physical plant and the personnel that operated the facility. Further, it established the rule that a jail must be operated by the County Sheriff, thus the former city jails could no longer meet the legal requirement for a jail as they were operated by the local law enforcement organization.

201 IAC, Chapter 51 of the Iowa Administrative Code defines a temporary holding facility as "secure holding rooms or cells operated by a law enforcement agency where detainees may be held for a limited period of time, not to exceed 24 hours, and a reasonable time thereafter to arrange transportation to an appropriate facility." Thus a temporary holding facility may be operated by any law enforcement agency as opposed to a jail, which must be operated by a County Sheriff. Chapter 51 also establishes certain minimum standards for the physical plant as well as the personnel who operate the temporary holding facility, just as chapter 50 establishes the minimum standards for jails. Section 356.43 of the Iowa Code provides for inspection of the temporary holding facilities by the DOC, just as it does for jails, however, the population reporting requirements for jails imposed by Section 356.49 of the Iowa Code do not apply to temporary holding facilities, thus there are no centralized or compiled data available regarding those populations.

Data provided by the DOC indicates that there are currently 15 temporary holding facilities in the state, with 14 being operated by municipal police departments and one being operated by a County Sheriff. The rated capacity of these facilities ranges from a low of two in three communities to a high of 46 in one community. The combined capacity of all such facilities in the state is 164 prisoners.

COUNTY DETENTION FACILITIES

Chapter 356A of the lowa Code provides for the creation of one or more County Detention Facilities within the state. Section 356A.1 speaks to County Halfway Houses, and a reading of that section appears to place full control of such a facility in the County Board of Supervisors. Under the provisions of that section, it appears that the Board of Supervisors is responsible for the decision of whether or not to establish such a facility, whether such a facility is to be in addition to, or in lieu of, a county jail, establishing rules under which the facility shall operate, whether the facility would have cells, cell blocks or bars and other decisions affecting the design and operation of such a facility.

A reading of Chapter 356A, its various sections and titles could be interpreted as giving the individual counties authority to establish facilities that would be very similar to the residential facilities currently operated by Community Based Corrections (CBC). The primary difference appears to be that the decisions on whether to release the prisoner to seek work, work at a job, seek routine medical attention, etc., remain with the court as opposed to CBC facilities where such decisions are routinely made by the facility staff. At the present time, there are no County Detention Facilities in operation.

FINDINGS

INVENTORY OF PRISONER SPACE

Table 1, below, lists among other variables, the inventory of prisoner space for each county jail as compiled by the Chief Jail Inspector of the DOC. The capacity of each jail is normally apportioned between space that is utilized by the general population, those prisoners who will most likely be in the facility in excess of 24 hours, and the temporary holding space, which is normally utilized for prisoners who will most likely be in the facility less than 24 hours. The normal unit of measurement is the bed, which is actually a misnomer as the capacity of the jail is based upon the square footage per prisoner requirements set by the jail standards contained in 201 IAC, Chapter 50, of the lowa Administrative Code. The sum of the general population capacity plus the temporary holding capacity equals the capacity of each jail. The total general population capacity within all the county jails is 4,137, and the total temporary holding capacity within all the county jails is 559, thus there is a capacity for holding 4,696 prisoners within all the county jails in lowa.

DAILY PRISONER COUNTS

Section 356.6 of the lowa Code requires the sheriff to "keep an accurate calendar of each prisoner committed to the sheriff's care". Among the data variables in the calendar are the date and time the prisoner entered the jail, and the date and time the prisoner left the jail, the cause and term of commitment and the authority by which the prisoner is released. 201 IAC-51.19(1) of the lowa Administrative Code requires temporary holding facilities to compile the same prisoner-specific data as the jails.

Chapter 356.49 of the lowa Code requires each sheriff operating a jail to make a monthly report to the DOC of certain data regarding their jail population, including the number of men, women and juveniles held in the jail for the reporting month. The data are reported on a form that is designed and provided by the DOC as per the statute.

It must be noted that there is no requirement within the lowa Code or the lowa Administrative Code for those law enforcement agencies operating temporary holding facilities to report their populations to any centralized reporting point, so while temporary holding facility population data do exist, those data are complied and stored at the local level. Further, the variables for which data are required to be collected do not permit a simple query to produce daily population data. Several temporary holding facilities were surveyed and indicated that to produce daily population data would require manually compiling the data for the hundreds of detainees processed each year. Some facilities with relatively sophisticated computer systems indicated that their present software did not have the ability to produce daily population data, and that to produce such data would require additional computer programming. It should also be considered that by law, a temporary holding facility can hold a detainee no longer than 24 hours, thus these facilities have very little, if any, unreported affect on the long-term space needs for jails. Any demands for such space would be reflected in the daily jail population in that if

detainees are still in custody after the 24-hour limitation, they are most likely transferred to a county jail. For these reasons, this report does not include data regarding the daily population properties of temporary holding facilities.

Currently, the DOC utilizes the "<u>Department of Corrections County Jail and Lockup Monthly Inmate Statistical Report</u>" shown in Appendix A to compile jail population data from the various county jails. Data from certain variables are extracted, analyzed on a monthly and yearly basis, and reported in the Jail Statistical Information report that is published by the DOC each state fiscal year. While data regarding daily jail populations are reported to DOC, those data are currently not being computerized, and are not used for analysis.

The DOC does capture and publish average daily jail populations by month by jail. A summary of those data for SFY 2002 is shown as part of the Table 1. The table displays the highest monthly average population and the lowest monthly average population for each jail. The numbers in parentheses indicates the number of months that the average figure was achieved. Also shown is the average daily population for the fiscal year. For example, during SFY2002, in Adair County, the average daily jail population reached a high of 5 in one month of the year, a low of 1 in three months of the year, and the average daily population for this jail for the entire year was 3. While the data may not be true daily population data, it does appear to illustrate what could be reasonably expected, that being that the daily population of any given jail can vary greatly for a myriad of reasons. The table indicates that in Marshall County, the average daily population varied between 58 and 128. Similarly, in Van Buren County, the average daily population ranged from 1 to 11. Such ranges in population place demands on the jails that may vary according to the size of the facility. In both Polk and Linn counties, for example, the difference in the actual number of prisoners was substantial, with Linn County varying between 300 and 382, and Polk County varying between 513 and 652, a difference of 82 and 139 prisoners respectively.

As will be seen in Table 1, reported jail capacities often exceed average daily jail populations. This finding is, in part, due to prisoner classification policies. Pursuant to the jail standards, it is mandatory for jails to segregate men from women and adults from juveniles, as well as segregating prisoners of whom violence is reasonably anticipated, prisoners who are a health risk to others and prisoners of whom sexually deviant behavior is reasonably anticipated. The jail standards also recommend further segregations, such as pre-trial prisoners from sentenced prisoners. The net result of the classification rules within the jail standards is that depending on the number and types of prisoners being held, a number of the jail's beds may not actually be available for use because of the inability to place additional prisoners within the same cell as a prisoner subject to mandatory segregation.

If comparisons are to be made between jail capacity and prisoner population, issues in addition to prisoner classification must also be considered. The first is that of expanded jail capacity. Boone County had an average daily population of zero for SFY 2002, and has a capacity of 56 prisoners. The reason for this was the opening of a new jail in November, 2002 in a county that had no jail in the recent past. In Story County, the variation in average daily population was from 44 to 94 and averaged 64 for the entire year. With a jail capacity of 117, it might appear that this jail had substantial excess capacity, however, in March, 2002, a new jail with increased capacity opened. Table 1 displays the year the jail was built, as well as the year of the latest recorded substantial

improvement. Table 3 below in the report section entitled "<u>Inventory of Recent Facility Construction Projects</u>" displays, among other data, what types of improvements have been made to jails since November, 1996, and when they were completed.

Another issue to consider is the population of the county, the average number of prisoners and the reason(s) that the prisoners are in the jail. At the present time, DOC does not receive data regarding the reason a prisoner is admitted to the jail. It could be suggested that in some cases, such data, and perhaps other data, are needed to assess and understand daily jail population in a given county. If someone were to compare the county population, jail capacity and average daily jail population of certain counties, one or more apparent anomalies could be found. Delaware County, 2000 census population 18,404, has a jail capacity of 10 prisoners, and a daily average population of 7. Similarly, Poweshiek County, 2002 census population 18,815, has a jail capacity of 7 prisoners, and a daily average population of 6. In comparison, Hardin County, 2000 population of 18,812, has a jail capacity of 101 prisoners, and a daily average population of 59. Clearly additional research is needed to explain the wide variation between counties of such similar size, and that research would most likely focus on the reason for each iail admission. In that way, the degree to which each iail holds non-jurisdictional prisoners, e.g., federal prisoners, prisoners from other counties, etc., can be ascertained and the resulting effect on the jail population can be better understood. Further, no creditable analyses can be made of the need for detention and confinement space in jails without knowing the reason(s) that the prisoners are in the jail, and how long each individual prisoner is incarcerated.

COMPLIANCE WITH SECTION 356.36 OF THE IOWA CODE (JAIL STANDARDS)

When originally enacted into law, what is now Section 356.36 of the Iowa Code required that the DOC, in consultation with the Iowa State Sheriff's Association, the Iowa Association of Chiefs of Police and Peace Officers, the Iowa League of Cities and the Iowa Board of Supervisors Association, draw up minimum standards for the regulation of jails and holding facilities. Once that task was accomplished, the minimum standards were codified in the Iowa Administrative Code. Today, they are commonly referred to as the Jail Standards.

The jail standards cover virtually every aspect of jail and temporary holding facility operations including standards for the physical plant (cell size, square footage requirements, etc.), required safety equipment (fire alarms, fire extinguishers, etc.), required inspections (fire, health, DOC, etc.) and personnel requirements (first aid/CPR training, able to read and write English, etc.) among others. The standards are too voluminous to list herein, but can be found in the lowa Administrative Code, 201 IAC. Chapter 50 contains the jail standards, and chapter 51contains the standards for the temporary holding facilities.

Pursuant to Section 356.43 of the Iowa Code, the DOC is responsible for inspecting the jails and temporary holding facilities for compliance with the standards applicable to each type of facility and reporting the inspection results to the governing body of the political subdivision operating the facility. At the present time, the inspections are the responsibility of the Chief Jail Inspector, who is currently the only jail inspector in the

state. Table 1, below, displays the status of compliance of the individual jails as of January 24, 2003, and Table 2, below, displays the compliance status of the temporary holding facilities as of January 24, 2003 with the appropriate standards. Of the 95 existing jails, 76, or 80.0%, are in compliance with the jail standards.

It should be noted that when the DOC inspects a jail or temporary holding facility, a report is forwarded to the jail or facility detailing any discrepancies found, and depending on the deficiencies found, a finding as to whether or not the jail or facility is considered in compliance with the jail standards. If a jail or facility is found not to be in compliance, it will remain in that status until such time as the deficiencies are corrected and the DOC is notified that corrective action has been taken. Given the on-going inspection program, on-going corrective actions, on-going correspondence, etc., it is possible that a given jail or temporary holding facility may be listed as not being in compliance only because the notification of corrective actions has not yet been received by DOC and the compliance status changed.

Table 1: List of County Jails and Other Variables as of January 24, 2003

					T. (1)	11. 1 14		SFY02	
	Year	Last	Gen	Temp	Total	High Mo		Avg	
County	Built	Improvmt	Pop	Hold	Capcty	Avg Pop	Avg Pop	Daily Pop	Comply
Adair	1903	N/A	9	0	9	5 (1)	1 (3)	3	Yes
Adams	1955	1998	18	3	21	19 (1)	9 (1)	14	No
Allamakee	1939	N/A	11	0	11	8 (3)	5 (2)	7	Yes
Appanoose	1974	N/A	9	3	12	16 (1)	9 (5)	11	No
Audubon	1936	N/A	12	0	12	10 (1)	1 (1)	4	Yes
Benton	1987	N/A	30	5	35	31 (1)	16 (1)	25	Yes
Black Hawk	1995	N/A	272	39	311	280 (1)	227 (1)	256	Yes
Boone	2002	N/A	44	12	56	0	0	0	Yes
Bremer	1975	N/A	11	4	15	12 (3)	8 (3)	10	Yes
Buchanan	1934	N/A	23	3	26	25 (2)	17 (1)	22	Yes
Buena Vista	1970	N/A	21	3	24	16 (2)	8 (1)	13	Yes
Butler	1928	N/A	12	0	12	10 (1)	3 (1)	6	No
Carroll	1962	2000	18	0	18	14 (2)	5 (1)	10	Yes
Cass	1984	N/A	23	4	27	26 (1)	10 (1)	17	Yes
Cedar	2001	N/A	31	6	37	29 (2)	14 (1)	24	Yes
Cerro Gordo	1959	2000	63	6	69	64 (1)	54 (2)	58	Yes
Cherokee	1983	N/A	12	0	12	11 (2)	4 (3)	7	No
Chickasaw	1958	N/A	8	1	9	7 (2)	3 (4)	5	Yes
Clarke	2001	N/A	30	16	46	31 (1)	22 (1)		Yes
Clay	1936	N/A	16	0	16	14 (2)	8 (2)	11	Yes
Clayton	1896	N/A	8	0	8	9 (1)			No
Clinton	1969	1995	45	10	55	59 (1)	39 (1)		No
Crawford	1973	N/A	13	2	15	14 (1)	7 (1)	11	Yes

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						High Mo	Low Mo	SFY2002	
	Year	Last	Gen	Temp	Total	Avg	Avg	Average	
County	Built	Improvmt	Pop	Hold	Capcty	Pop	Pop	Daily Pop	Comply
Dallas	1990	N/A	36	17	53	40 (2)	23 (1)	31	Yes
Davis	1972	N/A	10	О	10	` ,	2 (1)		Yes
Decatur	1975	N/A	7	С		6 (4)	2 (1)		
Delaware	1967	1993	10	О	10	10 (2)	4 (1)		Yes
Des Moines	1995	N/A	62	12		56 (2)	47 (1)		
Dickinson	1957	N/A	15	4	19	14 (1)	8 (2)		
Dubuque	1974	Und Cst	42	4	46	72 (1)	45 (1)		Yes
Emmet	1982	N/A	12	C		9 (1)	4 (1)		
Fayette	2002	N/A	44	8		12 (3)	9 (1)		Yes
Floyd	1941	N/A	17	5		15 (1)	7 (2)		
Fremont	1889	1993	9	0		` ,	5 (1)		
Greene	1974	N/A	8	0		6 (2)	2 (1)		
Grundy	2000	N/A	14	3		7 (1)	1 (1)		
Guthrie	1963	N/A	10	0		8 (1)	2 (1)		
Hamilton	Und Cst		0	0		0 (1)	0		
Hancock	1976	2000	15	0		9 (1)	4 (1)		
Hardin	2001	N/A	84	17	101	77 (1)	35 (1)		
Harrison	2000	N/A	18	3		16 (1)	8 (1)		
Henry	1964	N/A	8	C	8	13 (1)	5 (1)		
Howard	1900	1983	10	0		9 (1)	4 (3)		
Humboldt	1982	N/A	14	2	16	10 (2)	4 (1)		
lda	1985	N/A	8	О		7 (3)	1 (1)		
Iowa	1906	Planning	15	О		12 (1)	6 (2)		
Jackson	1982	N/A	11	1	12	12 (1)	7 (1)		
Jasper	1970	N/A	34	2	36	35 (1)	26 (1)		Yes
Jefferson	2000	N/A	32	7	39	` '	15 (1)		Yes
Johnson	1984	2001	92	11	103	85 (1)	77 (2)		Yes
Jones	1936	1998	19	3	22	18 (1)	10 (1)		Yes
Keokuk	1988	N/A	10	С	10		5 (1)	7	Yes
Kossuth	2001	N/A	36	6		27 (1)			
Lee	1981	1997	61	6	67	55 (1)	35 (1)	45	Yes
Linn	1984	2001	368	29	397	382 (3)	300 (1)	346	Yes
Louisa	1935	N/A	10	C	10	10 (2)	6 (2)	8	Yes
Lucas	1912	1982	10	C	10	10 (3)	5 (2)		No
Lyon	2002	N/A	27	6	33	12 (1)	4 (1)		Yes
Madison	1993	N/A	12	6	18	14 (1)	, ,		No
Mahaska	1996	N/A	41	10	51	41 (1)	30 (3)		Yes
Marion	1899	1987	11	2	13	` '			
Marshall	2000	N/A	133	25					
Mills	1915	N/A	11	2	13	` ,	7 (1)		
Mitchell	2001	N/A	27	6		` ,	2 (1)		
Monona	1974	N/A	12	6		` ,	, ,		
Monroe	1941	N/A	15		16	. ,			

						High Mo	Low Mo	SFY2002	
	Year	Last	Gen	Temp	Total	Avg	Avg	Average	
County	Built	Improvmt	Pop	Hold	Capcty	Pop	Pop	Daily Pop	Comply
Montgomery	1896	N/A	14	C	14	16 (1)	6 (1)	10	No
Muscatine	1996	N/A	133	8	141	122 (1)	90 (1)	109	Yes
O'Brien	2000	N/A	43	15	58	24 (1)	19 (1)	21	Yes
Osceola	1902	1982	13	C	13	5 (2)	1 (3)	3	Yes
Page	1936	1978	35	C	35	24 (2)	15 (2)	20	No
Palo Alto	1908	N/A	8	C	8	9 (1)	2 (2)	6	Yes
Plymouth	1930	Und Cst	14	C	14	17 (3)	10 (1)	15	No
Pocahontas	1923	N/A	10	C	10	7 (1)	3 (1)	6	Yes
Polk	1984	1997	534	54	588	652 (1)	513 (1)	546	Yes
Pottawattamie	1999	N/A	288	25	313	244 (1)	196 (1)	219	Yes
Poweshiek	1918	N/A	7	C	7	8 (1)	5 (4)	6	Yes
Ringgold	1927	N/A	6	C	6	6 (3)	3 (1)	5	Yes
Sac	1944	N/A	16	C	16	9 (1)	4 (4)	5	Yes
Scott	1898	1983	208	36	244	213 (1)	194 (1)	203	Yes
Shelby	1983	1985	14	C	14	11 (1)	5 (2)	8	Yes
Sioux	1907	Und Cst	15	1	16	16 (1)	11 (2)	13	Yes
Story	2002	N/A	99	18	117	94 (1)	44 (1)	64	Yes
Tama	1990	N/A	18	6	24	30 (1)	21 (1)	26	Yes
Taylor	1900	1982	6	C	6	8 (1)	2 (2)	5	No
Union	1968	N/A	11	C	11	11 (2)	6 (1)	9	Yes
Van Buren	1991	N/A	10	(3)	13	11 (1)	1 (1)	5	Yes
Wapello	2000	N/A	104	25	129	71 (1)	54 (1)	63	Yes
Warren	1938	1988	18	C	18	26 (1)	21 (2)	24	Yes
Wayne	1898	1975	6	C	6	6 (2)	2 (2)	4	Yes
Webster	1983	N/A	42	g	51	46 (1)	33 (1)	38	No
Winnebago	1936	N/A	9	C	9	6 (1)	2 (2)	4	Yes
Winneshiek	2000	N/A	32	8	40	11 (2)	3 (1)	7	Yes
Woodbury	1987	2000	220	18	238	235 (1)	200 (1)	219	Yes
Worth	1987	N/A	9	C	9	9 (1)	4 (1)	6	No
Wright	2001	N/A	16	12	28	14 (1)	8 (1)	11	Yes
		Total	4137	559	4696			3388	

Table 2, below, lists the law enforcement agencies currently operating temporary holding facilities certified by the DOC. By definition, a temporary holding facility is one where detainees may be held for a limited period of time, not to exceed 24 hours, and a reasonable time thereafter to arrange transportation to an appropriate facility. The table indicates that there are currently 15 temporary holding facilities, operated by 14 police departments and one sheriff's office, with a combined capacity of 164 prisoners. Of the 15 temporary holding facilities, 14, or 93%, are in compliance with the mandated standards for such facilities.

Table 2: Temporary Holding Facilities as of January 24, 2003

Law Enforcement Agency	Rated	In
Operating Facility	Capacity	Compliance
Ames PD	46	Yes
Ankeny PD	4	Yes
Clear Lake PD	8	Yes
Clive PD	3	Yes
Des Moines PD	40	Yes
Grinnell PD	2	Yes
Hampton PD	6	Yes
Iowa Falls PD	2	Yes
Oelwein PD	2	Yes
Pella PD	4	Yes
Perry PD	4	Yes
Urbandale PD	12	Yes
Washington County SO	10	No
Webster City PD	9	Yes
West Des Moines PD	12	Yes
Total Capacity	164	

OPTIONS FOR THE DETENTION OF PRISONERS WITH MENTAL ILLNESS OR SUBSTANCE ABUSE SERVICE NEEDS

Among the mandates of Senate File 2278 was the identification of options for the detention of prisoners with mental illness or substance abuse service needs. Given the complexity of this area of concern, the report deadline flexibility of S.F. 2278 and CJJP's desire to provide the General Assembly with a report at the beginning of their 2003 deliberations, CJJP has chosen to issue this first report without addressing options for the detention of prisoners with such special needs. CJJP will be working with the Iowa Department of Public Health, the Iowa Commission on Mental Health and Developmental Disabilities (CMHDD), the Sheriffs and others to collect information related to this topic for use in future updates of this report. It is anticipated that the CMHDD's current work to recommend a redesign of Iowa's mental health system will provide new information and perspective on this issue.

INVENTORY OF RECENT FACILITY CONSTRUCTION PROJECTS

As was previously indicated, in December, 1996, the Iowa Attorney General's Task Force on Local Corrections Infrastructure, Crime Prevention and Juvenile Justice issued a report that, in part, detailed much of the data requested by the Iowa General Assembly in the newly enacted Section 356.36A of the Iowa Code, including design capacity (inventory of prisoner space), residency (daily prisoner space) and a listing of substantial improvements made to each responding jail. That report was considered a baseline

report of the data specified in 356.36A, thus recent facility construction projects are defined as those currently underway, or completed, in or subsequent to, November, 1996.

Table 3 summarizes the various recent facility improvement projects as reported by the DOC and the various facilities. This table also provides the inventory required by S.F. 2278 of recent jail or facility construction projects in which voters have approved the issuance of general obligation bonds, essential county purpose bonds, revenue bonds or bonds issued pursuant to chapter 422B of the lowa Code (local option sales or vehicle tax). Since November, 1996, 34 facility construction projects have been undertaken or completed. Of the 34 projects, 12, or 35.3%, have been expansions of existing facilities. The remaining 22, or 64.7%, have been for the construction of new jails.

Table 3: Recent Jail Improvements (11/96 – 12/03)

County	Year	Improvement	Bond/Loc Opt	Amount
Adams	1998	10 Beds Added	Bond Issue	325K
Boone	2002	New Jail	Bond Issue	4.8M
Carroll	2000	4 Beds Added	No	
Cedar	2001	New Jail	Loc Opt Sales	3.2M
Cerro Gordo	2000	36 Bed Annex	No	
Clarke	2001	New Jail	Loc Opt Sales	3.7M
Dubuque	Und Const	173 New Beds	Bond Issue #	6.2M#
Fayette	2002	New Jail	No	
Grundy	2000	New Jail	Bond Issue	750K
Hamilton	Und Const	New Jail (40 Beds)	Loc Opt Sales	3.2M
Hancock	2000	5 Beds Added	No	
Hardin	2001	New Jail	Bond Issue	5.5M
Harrison	2000	New Jail	Bond Issue ##	1.9M##
Jefferson	2000	New Jail	Loc Opt Sales	4.3M
Johnson	2001	10 Beds Added	No	
Jones	1998	Remodeled	No	
Kossuth	2001	New Jail	Loc Opt Sales	2.8M
Lee	1997	Trailers Added	No	
Linn	2001	148 Beds Added	Bond Issue*	2.3M*
Lyon	2002	New Jail	Bond Issue	2.8M
Mahaska	1996	New Jail	Loc Opt Sales	4.6M
Marshall	2000	New Jail	Bond Issue	3.5M
Mitchell	2001	New Jail	Loc Opt Sales	2.2M
O'Brien	2000	New Jail	Bond Issue	3.7M
Page	2001	4 Beds Added	No	
Plymouth	Und Const	New Jail (54 Beds)	Bond Issue	5.2M
Polk	1997	Interim Jail	No	
Pottawattamie	1999	New Jail	Bond Issue**	15.0M**
Sioux	Und Const	New Jail (56 Beds)	Bond Issue	6.0M
Story	2002	New Jail	Bond Issue	8.0M
Wapello	2000	New Jail	Loc Opt Sales	8.9M
Winneshiek	2000	New Jail	Bond Issue	2.2M
Woodbury	2000	Annex	No	
Wright	2001	New Jail	Bond Issue	1.7M

^{*}Offset by 2M grant from US Marshall's Office **Additional 3M grant from US Marshall's Office #Bond issue plus funding from city and county general funds ##Plus 200K from county general fund

Of the 34 construction projects, 10, or 29.4%, were financed in some manner other than the issuance of general obligation bonds, essential county purpose bonds, revenue bonds, or the local option sales and vehicle tax options set forth in Chapter 422B of the lowa Code. Normally, these projects were relatively small in size and were paid for through the use of county general funds, the sheriff's operating budget, or some combination thereof. In one case, the county approved the use of an existing facility for use as a jail. The remaining 24, or 70.6%, of the recent projects were financed in large by "bond revenue", and totaled approximately 102.8 million dollars. In addition to those costs, a total of 5 million dollars in grants from the United States Marshall's Service were secured for iail construction in two counties, and in two additional counties, some combination of city and/or county general fund dollars were added to the "bond" revenue. Of the 24 projects, 22, or 91.7%, involved the construction of new jails. The newly constructed jails have a combined capacity of 1,465 beds, at an approximate "bond revenue" cost of 94 million dollars. The expansion of current jails will increase their capacity by a combined total of 321 beds at an approximate "bond revenue" cost of 8.8 million dollars. When all of the current construction projects are completed, the combined capacity of all county jails will be 4,915 beds, and the recent construction of 1,786 beds will represent 36.3% of the total capacity.

RECOMMENDATIONS ON OFFENDER DATA NEEDED TO ESTIMATE PRESENT AND FUTURE FACILITY SPACE NEEDS

To estimate the future needs for jail space needs within the State of Iowa, a decision needs to be made regarding the desired level of sophistication. In his work "Jail Crowding: Understanding Jail Population Dynamics", Mark A. Cunniff includes as one appendix a work by Robert C. Cushman entitled "Preventing Jail Crowding: A Practical Guide". Cushman indicates "Preventing and/or managing crowding requires a basic understanding of the jail population dynamics that determine how many people are in a jail. This understanding comes from examination of a *basic jail population analysis formula* (emphasis added) that show the admission rate and inmate length of stay determine the number of people in jail: Number of admissions x average length of stay = number of jail days required. Two additional calculations may be derived from this basic formula: Number of jail bed days required (/) 365 days per year = average daily jail population. Total number of jail days required (/) number of admissions = average length of stay. (This calculation will best represent the average length of stay if the number of releases roughly approximates the number of admissions.)"

Cushman goes on to indicate that "Essential and optional data elements that could produce a very basic jail population analysis are listed below.

Essential data elements include the following:

- Person identifier (number unique to the person).
- Booking event number (number to identify the jail admission).
- Sex (identification of gender).
- Booking date (date inmate was admitted to the jail).
- Booking time (military time inmate was admitted).
- Release date (date inmate was released).
- Release time (military time inmate was released).

Release type (bail, release on recognizance, acquittal, escape, etc.).

Optional data elements include the following:

- Arresting agency (agency making arrest; not transport)
- Sentence status (sentenced on all charges, partial, none).
- Offense level (felony, misdemeanor, infraction, etc.).
- Court jurisdiction (court of jurisdiction).

... The data for each inmate would appear as a row on a spread sheet or in a database."

As Cushman indicates, it appears that use of this limited number of variables would produce a database of very basic data, data that could raise as many questions as it provides answers for, if not more. Based on CJJP's experience with prison population forecasting, and the variables used therein, it is believed that the use of such limited data would not produce jail space need estimates that would be acceptably accurate.

In concluding his work, Cunniff indicates that: "Jail(s) are complex operations. Gaining an understanding of how they operate and how they are affected by the changing pressures of the criminal justice system is not an easy task. Lack of understanding of the forces behind the demand for jail beds leaves counties vulnerable to miscalculating future jail bed capacities. While the goal to identify and understand the forces behind the demand for jail beds may be daunting, it is achievable."

"A key to making jail operations understandable is to create a demand for information. A persistent demand for information will help a county develop its ability to analyze justice system operations. General county government officials play a crucial role. They are in a position to ask probing questions about justice system operations, and their independence from any one criminal justice agency will allow them to inject a system perspective into the process."

"The report outlines an approach that can support county officials' efforts to probe a complex system and ascertain the pressures behind the demand for jail beds. Aggregate statistics cannot fully advance this process of inquiry. Detailed analyses of databases belonging to the jail and to other criminal justice agencies must supplement the limited information gleaned from aggregate statistics. Officials also must develop a clear understanding of the demographic changes in the county, especially within the young adult population."

At the conclusion of his work, Cunniff presents an appendix "Items To Be Included in the Agency Database". As indicated above, the data are extracted from three different databases; arresting law enforcement agency, the jail or temporary holding facility and the courts. In some cases, the arresting law enforcement agency may also operate the jail, but this is not necessarily the case. The three agencies, and the data elements that Cunniff suggests need to be extracted from each database, are shown below. Necessarily, the variables listed by Cunniff are general in nature, and some may not be applicable in lowa. Also, there may be variables that are unique to lowa that should be included in the data.

Arresting Agency Files

Arrestee Information

Arrestee's name

Arrestee's identification umber

Residency (city, state and ZIP code)

Date of birth

Age

Sex

Race

Arrest Processing

Arrest number

Date of arrest

Arrest type

Arrest Disposition (cite and release, booked in jail, other)

Hold?

If yes, type

Flag for failure to appear?

Arrest Offense(s)

English description

Statute citation

Offense level (misdemeanor, felony, other)

Code (National Crime Information Center)

Flag for domestic violence?

Other crime flag?

Jail/Temporary Holding Facility Files

Inmate Information

Booking number

Unique personal identifier

Inmate's last name

Inmate's first name

Inmate's middle initial

Risk classification category

Inmate Demographics

Date of birth

Sex

Race

Years of Education

Residency – city

Residency – state

Residency – ZIP code

Key Dates

Arrest date
Booking date and time
Release date and time
Bond date
Sentence date

Jail Processing Information

Arresting agency
Release type
Bond amount set
Type of bond
Legal status (pre or post trial)
Jail sentence
Credit for time served
Sentencing court

Top Booking Charge

Charge description
Charge citation
Charge type (felony, misdemeanor, other)
Domestic violence flag

Court Files

Defendant Information

Name
Defendant identification number
Date of birth
Sex
Race

Offense Information

Number of charges Number of felonies Number of conviction charges Number of felonies Domestic violence flag

Top Conviction Charge

English description Statute citation Offense level (felony, misdemeanor, other)

Court Processing

Court case number
Case disposition (conviction/no conviction)
Credit for time served in pretrial
Special case characteristics (e.g.., fast track)
Flag for persons detained in jail

Sentence

Type (jail, prison, probation, other)
Term (excluding suspend time)
Credit for days served in pretrial status
Fine imposed
Community service imposed
Restitution imposed
Other

Key Dates

Offense date
Filing date
Disposition date
Sentencing date
Postsentencing date

While it is believed that use of the above variables suggested by Cunniff would, if adopted, provide data that could be used for numerous types of analyses, based on CJJP's experience, it is also believed that these data elements are far in excess of those data needed to accurately estimate the need for jail space in the future, that research CJJP has been directed to explore. After reviewing both Cushman's and Cunniff's work, and CJJP's ongoing prison population forecasting, CJJP suggests that no data need to be collected from the courts. CJJP also suggests that unless there was some interest in attempting to estimate the need for temporary holding facility space, which, given the 24 hour incarceration limitation, would appear to have highly limited value, no data need be collected from the arresting law enforcement agency.

Section 365.6 of the lowa Code requires all sheriffs operating a jail to keep a jail "calendar" which contains, among other variables, "the prisoner's name, place of abode, the day and hour of commitment and discharge, the cause and term of commitment, ..." "When any prisoner is discharged, such calendar must show the day and hour when and the authority by which it took place, and if a person escapes, it must state particularly the time and manner thereof." CJJP suggests that properly constructed values for these variables would capture much of the data needed to accurately estimate future jail space needs. Given certain requirements of the jail standards previously mentioned, primarily, the mandated separation of adults and juveniles as well as males and females, CJJP suggests that values for the sex and age of the prisoner also be captured as those variables will have a real effect on the need for jail space, and thus be required for accurate forecasting.

Data analysis normally incorporates the process of cleaning the data after collection. CJJP suggests that the above listed variables lack sufficient individually identifiable data to positively identify a specific prisoner, e.g. current lowa Department of Transportation data indicates that there are 229 John Smiths in the drivers license records, some of whom live in the same city. CJJP suggests that some additional demographic data, specifically the race and date of birth, be captured as well as a limited number of other individually identifiable values such as the social security number, Division of Criminal Investigation (DCI) identification number and arrest tracking number be captured to facilitate data cleaning and thus produce more accurate estimates.

A comprehensive list of those data variables that CJJP recommends be collected is shown below. It must be noted that these data items are specifically designed to permit the accurate estimation of future jail space needs only, and that while a limited amount of secondary analyses could be performed on the data, its scope most likely would be highly limited. Should additional information regarding the jail populations in lowa be desired, the scope of that information would have to be determined, and additional variables would most likely have to be added to the proposed list.

- Name (last, first, middle)
- Date of birth
- > Age
- > Sex
- Race
- Social security number
- Arrest tracking number
- > Date and time of entry into iail
- Reason for entry into jail (new arrest, serving sentence, pretrial confinement, etc)
- First most serious charge (lowa Code citation and plain English)
- > Second most serious charge, if applicable (lowa Code citation and plain English)
- Third most serious charge, if applicable (lowa Code citation and plain English)
- Date and time of release from jail
- Reason for release from jail (released on bond, end of sentence, etc.)

Of these variables, two of the most important are the reason for entry into, and release from, jail. There must be very specific values for these variables, and any changes in status must be recorded. As an example, assume an individual is arrested for burglary 1st degree. That individual's jail entry reason would be a new arrest. Assume also that the individual has his/her initial appearance for the offense the next morning, and the judge sets a cash only appearance bond of \$75,000.00, which the individual cannot post. Upon return to the jail, a release entry should be made for the new arrest indicating that the prisoner was transferred to pretrial confinement and a new admission entry should be made indicating the reason for admission as pre-trial confinement. In this way, the actual amount of time spent in jail for each specific reason can be learned and analyzed, which will lead to more accurate estimations. It is also deemed essential that among the admission variable values are those indicating that the prisoner is awaiting trial, serving a sentence, etc. from a county other than the one in which the prisoner is incarcerated, and the identity of the county the prisoner is being held for. It can thus be ascertained to what degree this practice occurs, and the identity of the counties that either transfer prisoners to other counties or house prisoners from other counties. These data are also considered essential for accurate estimations.

In addition to the above listed data variables, one additional set of data will need to be collected in order to accurately estimate future facility space needs, that being the changes in the criminal laws made by the legislature. Newly enacted, and changes to existing, criminal laws can have a dramatic affect on the need for jail space through the enactment of new mandatory jail sentence laws, increasing existing mandatory jail sentences, etc.

It should also be noted that a mechanism already exists for the collection of these data in the form of the "Department of Corrections County Jail and Lockup Monthly Inmate Statistical Report", which is shown in Appendix A. As previously indicated, these reports are now submitted monthly to the DOC. Should the DOC or other appropriate authority choose to do so, the format of the report could be modified so as to accommodate the data variables that are finally determined to be required for accurate jail space estimations.

Particular notice should also be taken of the State's criminal justice information systems integration initiative being coordinated by the Iowa Information Technology Department (ITD). This initiative focuses on the sharing of data within and between criminal justice agencies using existing data systems. In conjunction with ITD, CJJP conducted a survey of all of the sheriffs offices in the state regarding the degree to which the offices were automated, what jail management computer programs, if any, were utilized and the degree to which each jail had access to the Internet and the Iowa Online Warrants and Articles (IOWA) system. That research indicated that 90, or 95%, of the jails utilized computer software to assist in managing their prisoners, and that 43, or 48%, of those used some version of the same jail management program. It was also learned that 76. or 80%, had IOWA system access in the jail building, 81, or 90% had internet access in the jail building and 70, or 78% had access to both communications systems in the jail building. It is possible that the high degree of automation and the high degree of availability of identical communications systems within the jails as well as the commonality of computer software within almost half of the jails, could provide the opportunity for ITD to work collaboratively with Iowa's criminal justice community to develop a method to electronically extract certain jail data from the existing databases and transmit the data via an existing communication system to a central repository. At the repository, some entity could analyze the data, extract statistical information and publish various reports to provide information to policy makers in various affected state agencies. A new, revised jail report could be one of the reports.

APPENDIX A

IOWA DEPARTMENT OF CORRECTIONS COUNTY JAIL AND LOCKUP MONTHLY INMATE STATISTICAL REPORT FORM

	Vame:				-	Date Rep	ort Comple	eted:		5	*		
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